United States District Court Southern District of Texas

## **ENTERED**

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

September 06, 2019 David J. Bradlev. Clerk

ALL AMERICAN FLEET SERVICES, INC. D/B/A GULF COAST FLEET TOWING/RON'S TOWING,

Plaintiff,

VS.

CIVIL ACTION NO. 4:19-CV-1070

WESTCHESTER SURPLUS LINES INSURANCE COMPANY,

Defendant.

## **ORDER OF DISMISSAL**

The Court having been advised by counsel for the parties that an amicable settlement has been reached in this action, it is

**ORDERED AND ADJUDGED** that, pursuant to Fed. R. Civ. P. 41(a), this cause is hereby DISMISSED on the merits without prejudice to the right of counsel to move for reinstatement of this action within ninety (90) days if settlement is not consummated.

FURTHERMORE, the Court shall retain jurisdiction to enforce the settlement agreement in its discretion upon an appropriate motion made within ninety (90) days of this Order. Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 381-82, 114 S. Ct. 1673, 1677 (1994); Bell v. Schexnayder, 36 F.3d 447, 448-50 (5th Cir. 1994).

The Clerk shall enter this Order and provide a copy to all parties.

day of September, 2019, at Houston, Texas. **SIGNED** on this

> VANESSA D. GILMORE UNITED STATES DISTRICT JUDGE